

Remarks

Reconsideration and withdrawal of the objection and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-3 and 5-12 are now pending in the application, with Claim 1 being independent. Claim 4 has been cancelled without prejudice. Claims 1-3 and 5-12 have been amended herein.

The drawings were objected to for minor informalities. In response in the accompanying Letter Transmitting Corrected Formal Drawing, Fig. 2 has been amended in the manner suggested by the Examiner. In particular, the second occurrence of "250" has been changed to --200-- to indicate the controller, "212" has been changed to --222-- to indicate the ink consumption sensor and "53" has been changed to --54-- to indicate the paper feed motor. Corresponding changes have been made in the specification, as appropriate. In view of the foregoing, reconsideration and withdrawal of the objection to the drawings are requested.

Applicants note with appreciation the indication that Claims 4 and 5 recite allowable subject matter. These claims were objected to for being dependent upon rejected base claims. The remaining claims have been rejected under 35 U.S.C. §§ 102 and 103 and double patenting. Without conceding the propriety of the rejections, independent Claim 1 has been amended to include the features of allowable Claim 4, with minor changes to improve its form. Accordingly, the §§ 102 and 103 and double patenting rejections are deemed moot. Although the Examiner requested that Applicants state the prior inventor of

conflicting subject matter, based on the incorporation of allowable subject matter, this request is also deemed moot.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claim 1. Dependent Claims 2, 3 and 5-12 are also allowable, in their own right, for defining features of the present invention in addition to those recited in independent Claim 1. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MAW:tnt

DC_MAIN 198613v1